

## REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 3, 19, 21, 30, and 33 through 35 are pending, with Claims 1 and 19 being independent. Claims 1, 3, 19, and 21 have been amended. Claims 33 through 35, all dependent, have been added.

Claims 1 through 3, 19 through 21, and 30 were rejected under 35 U.S.C. § 103 over previously-cited US 2006/0136965 A1 (Ellis, et al.) in view of newly-cited US 6,983,478 B1 (Grauch, et al.). All rejections are respectfully traversed.

Claims 1 and 19 variously recite, *inter alia*, updating the user profile (that was generated on the basis of view history) based on the booking information input by the input unit (Claim 1) or in the input step (Claim 19) when the booking is not canceled in the recording apparatus, and not updating the user profile when the booking is canceled in the recording apparatus, and using the updated user profile for searching for a desired program.

However, Applicants respectfully submit that neither Ellis, et al. nor Grauch, et al., even in the proposed combination, assuming, arguendo, that the documents could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 1 and 19.

Applicants respectfully submit that Ellis, et al. discloses, e.g., that the “program guide client may track when users order pay-per-view programs, record programs and schedule reminders for programs, and may also provide this information to program guide server 25 as part of the viewing histories” (e.g., [0107]), and that user defined expressions may be stored for searching through program guide data, and criteria may be derived from user profiles (e.g.,

[0077]). However, Applicants respectfully submit that Ellis, et al. is completely silent as to at least the above-discussed claimed features as recited, *inter alia*, in Claims 1 and 19.

The Official Action agrees and relies upon Grauch, et al. Applicants respectfully traverse such reliance. Applicants respectfully submit that Grauch, et al. discloses, e.g., that the service provider may want to determine whether viewers are recording a video in order to charge them a recording fee (e.g., col. 11, lines 48-56), which portion of Grauch, et al. is relied upon in the Official Action. But Applicants respectfully submit that the foregoing is completely *silent* as to at least the above-discussed features as recited, *inter alia*, in Claims 1 and 19, including the recitations of updating/not-updating as claimed. Thus, Applicants respectfully submit that even if Ellis, et al. and Grauch, et al. could be combined, *arguendo*, the combination would fail to disclose or suggest at least such features.

Also, Applicants respectfully submit that there has been no showing of any indication of motivation in the cited documents that would lead the artisan to attempt to arrive at such features. In particular, Applicants respectfully submit that Grauch, et al. would not have motivated the artisan to attempt to combine it with Ellis, et al. — specifically, since Grauch, et al. is not directed to using the user profile to search as claimed, the artisan would not have been motivated to attempt to combine Grauch, et al. with Ellis, et al. In contrast, Applicants submit that the present invention is able to not update the user profile when the booking is cancelled, because such an update is not suitable for the user profile which is used for a search for a desired program.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. For example, Claim 33 recites “booking cancellation information”, which Applicants

submit is neither disclosed nor suggested in the cited documents. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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